

Amendment to the Drawings:

Two (2) sheets of drawings are attached. There were no substantive changes to the drawings. However, the arrows and reference numbers were changed to have a consistent weight and number height, pursuant the Examiner's request. Furthermore, the figure numbers were also changed to have a consistent weight and height.

Attachment: Two Replacement Sheets
 Two Annotated Sheets Showing Changes

R E M A R K S

This paper is being filed in response to an Office Action dated November 4, 2005. Claims 1-24 are currently pending in this application, and claims 1-4, 8, 9, and 19-24 have been withdrawn from consideration.

By the amendment presented, claims 5, 7, and 13 have been amended by this amendment. Claim 5 has been amended to replace a "." with a "," at the end of the claim element starting with "a third layer". This corrects a typographical error.

Claim 5 has also been amended to clarify that the at least one layer of fabric in the first and second layers include a "split microfiber." Support for this amendment can be found in the specification, inter alia, at p. 4, lines 15-22.

Claim 7 has been amended to recite that the fabric of the first and second layers can be "independently selected" from the Markush group. Support for this amendment can be found in the specification, inter alia, at p. 3, lines 1-10, as well as originally filed claim 6.

Claim 13 has been amended to recite that the first, second, and third layers include at least one layer of a "microfiber fabric comprising a split microfiber." Support for this amendment can be found in the specification, inter alia, at p. 4, lines 15-22.

Also by the amendments presented, the paragraph spanning page 6, line 19 to page 7, line 4 has been amended to include a reference to reference number "30" in Figure 2 for the third moisture-resistant material (i.e., the middle layer). Similarly, the paragraph spanning lines 12-27 of page 7 has been amended to include references to reference number "45" in Figures 3 and 4 for the third layer (i.e., the middle layer). Support for these amendments to the specification can be found in the originally filed drawings.

In view of support for all amendments in the originally filed application, applicant, submits that no new matter has been added by these amendment.

Restriction/Election Requirement

Applicant acknowledges that the examiner has made final the restriction/election requirement of July 15, 2005.

Drawings

The examiner objections to the drawings and requires arrows and reference numbers having consistent weight and number height. The examiner also asserts that reference numbers 30 and 45 are not mentioned in the description.

In regard to reference numbers 30 and 45, applicant has amended portions of the specification by adding the reference numbers in the appropriate places. For example, reference number "30" has been added after "a third moisture-resistant material" to the paragraph spanning page 6, line 19 to page 7, line 4. Similarly, reference number "45" has been added after "the third layer" to the paragraph spanning lines 15-27 of page 7. In view of these amendments to the specification, applicant submits that this objection is now moot.

In regard to the arrows and reference numbers, applicant encloses substitute sheets with arrows and reference numbers having consistent weight and number height. In view of this submission, applicant submits that this objection is now moot.

Claim Objections

Claim 5 has been objected to as having a period in the middle of the claim. In view of the amendment presented herein for claim 5, which corrects this typographical error, applicant submits that this objection is now moot.

Section 112 Rejection

Claim 13 has been rejected under 35 U.S.C. § 112, second paragraph, as allegedly indefinite. In particular, the examiner asserts that the term "chamois microfiber" is indefinite.

Applicant respectfully traverse this rejection. It is respectfully submitted that the skilled artisan would understand the term "chamois microfiber" in view of the information in the specification. The examiner is directed to p. 4, lines 10-13 of the specification, which states in part "nonlimiting examples of useful materials include: microfiber fabrics, such as MFT 1, 2, 3, 5, 8, 11.3, and 35, I110, SU1 and SU3, which are commercially available from Leading Edge Products located in San Diego, . . ." The examiner is also directed to p. 6, lines 25-31 of the specification, which states:

One useful chamois material is I100, a textile made of a synthetic microfiber of 80% polyester and 20% nylon. I100 is ideal for blotting because the microfibers stand perpendicular to the warp and are extremely short. I100 has the following additional characteristics: no loops – individual strands of fibers; the weave pattern is double knit; the fiber size is from about 0.2 to about 0.99 denier; and the fibers are by spun, extrusion and then splitting using chemical or heat processing.

In view of the combination of both portions of the specification, applicants submit that the term “chamois microfiber” is sufficiently definite term used in the art, which is well understood by the skilled artisan.

Applicant, therefore, respectfully requests withdrawal of this rejection.

Section 102 Rejection

Claims 5-7 and 10-12 have been rejected under 35 U.S.C. § 102(e) as allegedly anticipated by DeMott et al. (USPN 6,770,581) (hereinafter referred to as “DeMott”). The examiner asserts that DeMott et al. teaches all of the requirements of these claims.

Applicant respectfully traverses this rejection, as applied to amended claim 5. Claim 5 now requires that the first and second layers have “at least one layer of fabric comprising a split microfiber.” As described in applicant’s specification at p. 4, lines 15-22, split microfibers provide significantly increased moisture absorbent properties as a result of increased surface areas and void space provided by the numerous furrows and channels. As a result, no chemical treatment (e.g., with a surfactant as taught in DeMott) is required to render hydrophilic properties to hydrophobic fibers. Since DeMott fails to teach or suggest the use of “at least one layer of fabric comprising a split microfiber,” applicant submits that DeMott fails to anticipate claims 5-7 and 10-12. Withdrawal of this rejection is respectfully requested.

Applicant also submits that DeMott fails to teach or suggest the requirements of claim 12. In particular, claim 12 requires, in part, the use of “stitching along the inner surface areas of the layers in substantially parallel lines.” One example of this requirement is illustrated in Figure 5. In contrast, Figure 6 of DeMott merely utilizes stitching 58 along the periphery. Since DeMott fails to teach or suggest all the requirements of claim 12, applicant submits that claim 12 is not anticipated by DeMott.

Section 103 Rejection

Claims 13-18 have been rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over DeMott et al. Although acknowledging that DeMott fails to disclose using microfilament yarns in the absorbent center layer, the examiner asserts that it would have been obvious to use the treated polyester microfilaments disclosed in DeMott in the absorbent center layer of the composite fabric, since DeMott teaches that the microdenier filaments have improved properties to cotton and cotton blend fabrics.

Applicant respectfully traverses this rejection. First, applicant submits that DeMott's failure to teach or suggest the use of a microfiber fabric in the center layer itself contradicts the examiner's obviousness conclusion. DeMott utilizes chemical treatment with surfactants to obtain the desired hydrophilic characteristics of its fabrics. Since such chemical treatments can be removed over time (e.g., as a result of multiple washing), the skilled artisan would recognize that the use of DeMott's fabrics as the absorbent center layer would not be desirable.

Furthermore, claim 13 has been amended to recite that the first, second and third layers have "at least one layer of a microfiber fabric comprising a split microfiber." DeMott fails to teach or suggest such a fabric in any of the layers. Applicant, therefore, respectfully requests withdrawal of this rejection.

Applicant also submits that DeMott fails to teach or suggest the requirements of claim 18. In particular, claim 18 requires, in part, the use of "stitching along the inner surface areas of the layers in substantially parallel lines." Such a stitching pattern creates channels to help direct moisture to the edges. (See applicant's specification at p. 8, lines 1-9.) One example of this requirement is illustrated in Figure 5. In contrast, Figure 6 of DeMott merely utilizes stitching 58 along the periphery. Since DeMott fails to teach or suggest all the requirements of claim 18, applicant submits claim 18 is not rendered obvious by DeMott.

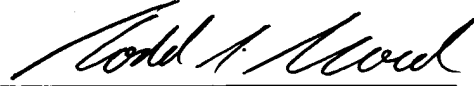
Conclusion

In view of the reasons and amendment presented above, applicant submits that the pending claims are in condition for allowance. Reconsideration and allowance of these claims is respectfully requested.

Respectfully submitted,
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